

US EPA ARCHIVE DOCUMENT

Quarterly Project Progress Report

Construction Storm Water Excellence Initiative 2007

EPA Grant# EI-96489108-0

JUNE 2012

**U.S. EPA State Innovation Grant Program
National Center for Environmental Innovation**

**Tennessee Department of Environment and Conservation
University of Tennessee, Municipal Technical Advisory Service**



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Project Description

Construction Stormwater Excellence Initiative

(Tennessee's State Innovation Grant Project- 2007)

Grantor:

US EPA State Innovation grant Program, National Center for Environmental Innovation

Grantee:

Tennessee Department of Environment and Conservation (TDEC)
University of Tennessee, Municipal Technical Advisory Service (MTAS)

State Project Manager:

Robert Karesh, Tennessee Department of Environment and Conservation
Division of Water Pollution Control, Statewide Stormwater Coordinator
401 Church Street, L & C Annex, 6th Floor
Nashville, TN 37243-1534
Phone: (615) 253-5402 / Fax (615) 532-0686
Email: Robert.Karesh@tn.gov

Total Project Cost:

The total amount funded was \$200,000. The State of Tennessee has committed a minimum of \$100,000 of in-kind funding for the same period. There are no other federal contributions to this program.

Project Period:

October 1, 2007 to September 30, 2011 (Original)
October 1, 2007 to September 30, 2013 (Amended)

**Key Milestones (Including Outputs),
Reflecting The Projected Timelines For Completion¹**

Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments
Objective: Stormwater group preliminary organizational meeting (pre-award) Output(s): <i>TDEC/MTAS meetings to determine key MS4's for preliminary solicitation, etc.</i>	September 2007	May 2008	Yes	This objective combined with the 3rd objective while waiting for final signatures.
Objective: Execute contract with the University of Tennessee's Municipal Technical Advisory Service (MTAS) Output(s): <i>Due to MTAS's unique status within the State, their ability to deliver training and technical support statewide to local governments and their history as a TDEC partner in the Stormwater program, MTAS will be the sole contractor for the initiative.</i>	October 2007	Final Signatures May 2008	Yes	Final signatures were received by Contracts Division/TDEC May 2008
Objective: TDEC-MTAS project team meetings Output(s): <i>Continuing identification of MS4's for Stormwater group. Identifying specific contacts from various other stake holder organizations. Scheduling venues for organizational meetings. Developing agenda's, informational literature, etc.</i>	October 2007 (March 2008)	May 2008	Yes	As with Objective #1, TDEC-MTAS continued to work together on project and planning meetings during the delayed pre-award time. The final signatures were received by May 2008.
Objective: Establish stormwater group (Tennessee Stormwater Association) Output(s): <i>Organize initial meeting of the state regional group representative at a state level. Formalize the group. Set up a calendar of regional & state meetings, etc.</i>	December 2007 (March 2008)	June 2008	Yes	Due to delayed signatures for official contract award to MTAS, the development of the statewide Stormwater Association was not begun until March 2008
Objective: Establish stakeholder committee Output(s): <i>Identify, contact, and obtain participation from representatives of the stakeholder groups. Set up and formalize the committee. Set mission, agenda, meeting calendar and milestones.</i>	December 2007 (May 2008)	May 2008	Yes	Due to delayed signatures for official contract award to MTAS, and the delayed establishment of the TNSA, the Stakeholder Committee was not established until May 2008

¹ Please see Revised Timeline Schedule in Appendix B

**Key Milestones (Including Outputs),
Reflecting The Projected Timelines For Completion¹**

Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments
Objective: Issue new MS4 General Permit Output(s): <i>With the new minimum requirements for baseline MS4 programs, develop the additional minimum requirements for QLP. This was not part of Grant.</i>	Not part of grant	June 2008 (July 2010) (October 1, 2010)	Yes	TDEC worked with EPA to craft a permit that reflected the EPA's desire to see a "Green" permit with more emphasis on infiltration based permanent BMP's.
Objective: Facilitate meetings to establish criteria Output(s): <i>Set venue, agenda, etc., and facilitate meetings in order to achieve stakeholder input on the criteria for qualifying a local program.</i>	January 2008 (June 2008)	June 2010	Complete	Start date amended due to grant development delays but meetings have been held every quarter since the organizational Kickoff meeting held August 15, 2008. Prep work began in June 2008.
Objective: Develop and promote guidelines and incentives Output(s): <i>With the information from the stakeholder committee meetings, develop guidance material and an incentive program for qualifying local programs.</i>	Began in (September 2008)	June 2010	Complete	Start date amended due to grant development delays but meetings to develop incentives/criteria have been held every quarter since the organizational Kickoff meeting held August 15, 2008
Objective: Develop excellence recognition program Output(s): <i>With the information from additional stakeholder committee meetings, input from additional groups such as the Tennessee Municipal League, etc., develop excellence recognition program</i>	October 2009	September 2010 (February 2011)	Complete	Began initial discussion October 2009, and after amending the project timeline, we will have two more quarterly meetings to discuss & finalize Excellence Recognition. Permit issuance delays changed this to Feb 2011
Objective: MS4's implement new permit Output(s): <i>MS4's revise their programs in accordance with new permit</i>	July 2008 (October 2010)	January 2010 (June 2012)	In process	Issuance of permit delayed 2 years as explained.
Objective: Pilot the qualification of a MS4 Output(s): <i>Work with select MS4(s) volunteer(s) program(s) to work through guidance materials and document achieving the various elements involved in becoming a qualified program. Monitor the designated Qualified Program.</i>	June 2010 (June 2012)	June 2011 (June 2013)	In process	To provide the MS4s with time to adhere to the new MS4 permit requirements, we requested a grant extension of two years. This projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013.

**Key Milestones (Including Outputs),
Reflecting The Projected Timelines For Completion¹**

Objectives and Outputs	Original Start Date (Amended Start Date)	Original Completion Date (Amended Completion Date)	Complete?	Slippage Explanation/Other Comments
Objective: Develop and deliver workshops across the state Output(s): <i>Based on the results of the pilot program, update the guidance materials. With the updated guidance materials and pilot program case history/histories, develop workshops lesson plans. Deliver workshops and guidance materials statewide.</i>	June 2011 (June 2013)	August 2011 (August 2013)	No	The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see Timeline in Appendix B.
Objective: Deliver a replicable solution to other states Output(s): <i>With updates to workshop lesson plans and materials based on participant feedback, develop final guidance materials, workshop lesson plans, case histories etc., for delivery to EPA.</i>	September 2011 (September 2013) *Note: the Gathering of supporting documentation in preparation for this item is ongoing.	September 2011 (September 2013)	No	The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see Timeline in Appendix B. Gathering of supporting documentation in preparation for this item is ongoing.

Part 1 – Synopsis of Accomplishments during the Reporting Period

The 17th reporting period (ending June 30, 2012, 2nd quarter (calendar year) 2012), was the last part of the time allotted under the requested extension for MS4's to work on familiarizing themselves with, and working on, their new Small MS4 Permit. In accordance with the revised timeline, the QLP Pilot Program officially began June 1, 2012

TDEC has continued to support the establishment of the Tennessee Stormwater Association (TNSA) with efforts outside the scope and funding of this grant.

TDEC did educational outreach and recruitment for the QLP pilot program this quarter by attending regional TNSA meetings statewide.

TDEC issued the official announcement for the Qualifying Local Program for Construction Site Stormwater Runoff Control Pilot Period (June 2012-13):

With the finalization of the QLP pilot program procedures and associated forms and documentation, TDEC announced the pilot program and solicited and received applications for the pilot program from the permitted MS4 community.

TDEC also issued:

- Final QLP Application Form
- QLP Application Review Sheet
- Final QLP NOI form for CGP activities
- Final QLP NOT form for CGP activities
- Final QLP Enforcement Assistance Request Form
- Draft QLP NOC form for CGP activities

Robert Karesh, Statewide Stormwater Coordinator, held meetings with TDEC staff at the various Environmental Field Offices associated with the pilot program applicants.

Robert Karesh held a second set of meetings with TDEC staff that included the pilot program applicants at the Environmental Field Offices associated with those applicants.

Part 2 – Narrative Discussion

2.1 QLP Pilot Program

TDEC issued the official announcement for the Qualifying Local Program for Construction Site Stormwater Runoff Control Pilot Period (June 2012-13):

With the finalization of the QLP pilot program procedures and associated forms and documentation, TDEC announced the pilot program and solicited applications for the pilot program from the permitted MS4 community. Announcing the QLP pilot program involved the utilization of the press releases finalized during this quarter. The press releases were carefully crafted to be part of the public education and outreach for MS4's about the QLP option and the QLP pilot program initiation.

Some of the forms/documentation that TDEC finalized and issued in preparation for the pilot program kick-off included:

- Final QLP Application Form
- QLP Application Review Sheet
- Final QLP Notice of Intent (NOI) form for CGP activities
- Final QLP Notice of Termination (NOT) form for CGP activities
- Final QLP Enforcement Assistance Request (EAR) Form
- Draft QLP Notice of Coverage (NOC) form for Construction General Permit (CGP) activities

During this quarter TDEC contacted MS4 candidates for the QLP Pilot Program and began preparing them for a successful application and pilot program process. TDEC also looked internally as it sought input from, and provided training for, the Environment Field Office (EFO) personnel regarding the QLP Oversight Guidance. This included training and editing on the reporting and information sharing process and mechanisms between the QLP's and TDEC's EFOs and TDEC central office.

TDEC conducted an application submittal and review process test run on the April 20th to identify things needing more development. John Chlarson (UT-MTAS) played the role of the submitting MS4; and Michael Atchley, Anne Morbitt, Jennifer Watson and Robert Karesh (all of TDEC) were the review team. All participants had copies of the latest guidance and application review procedures available at that time. We took the results of the test run and finalized the pilot application and EFO review procedures. This exercise was in the nature of a beta test or a "shakedown cruise" to try to ensure that we had not missed any steps in the process and to try to identify any potential bugs.

TDEC sent an initial announcement to the EFOs on the 9th about the plans on the pilot, and set a video call for the 24th for last minute EFO discussion. TDEC began conducting interviews/meetings with the EFOs and pilot program applicants on the 25th.

Robert Karesh, Statewide Stormwater Coordinator, held these meetings with TDEC staff at the various Environmental Field Offices associated with the pilot program applicants. The purpose of these meeting was to review the application with the local staff that have a history with the applicant. The thought is that local staff should be able to give Mr. Karesh an informed insight as to whether or not the MS4 is a viable QLP candidate. Consider it an informed screening process beyond the information on the application.

Mr. Karesh held a second set of meetings with TDEC staff that included the pilot program applicants at the Environmental Field Offices associated with those applicants. These meeting were held to review the applications to be sure that the applicant and TDEC had the same understanding of all the information and the commitment, and to lay the groundwork for coordination during the pilot program. We deem having these two meeting as critical to the success of the program. The intent is to be sure that an applicant is not being set up for failure, but is being given the best chance possible for success, but assuring their qualifications, etc.

The QLP application, an application review check list, and the schedule for the meetings with the pilot program applicants can all be found in Appendix A.

2.2 Tennessee Stormwater Association

One of the key components to the education and outreach for input for the QLP option was the establishment of the Tennessee Stormwater Association. This was identified in the grant proposal. Support for this outreach and input is a grant activity. The Association has been invaluable in this process and will continue to be.

As provided for in this innovation grant, we have continued to support the TNSA during this reporting period.

TDEC has also continued to support the establishment of the TNSA with efforts outside the scope and funding of this grant.

Part 3 – Projection of Activities, Accomplishments, and Major Expenditures for Next Quarterly Report

During the next quarter we will be:

- Continue conducting sit down meetings with the QLP pilot participants at their local Environmental Field Offices
- Notify the applicants who are accepted into the pilot program
- Recognize and award the successful applicants
- Monitor and assist the provisional QLPs with their QLP education and outreach
- Spot check effectiveness of the education process with the development community
- Conduct additional education and outreach about the QLP program to the MS4 community at large, including:
 - Press releases about the successful applicants
 - Information about the pilot program progress to be dispersed by the TDEC newsletter and website
 - Information about the pilot program progress to be dispersed at the regional TNSA meetings
- Conduct second QLP awareness survey among all MS4s

Part 4 – Financial Report

The project budget is on track for the goals and milestones of this project.

UT-MTAS continues to honor its commitment to TDEC, the EPA, and the success of this project by working without a contract or additional compensation until such time as TDEC can issue a contract extension to draw down the remainder of the grant funds.

After the remaining funds have been drawn down, MTAS will continue to honor this same commitment.

APPENDIX “A”

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**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
401 Church Street
L&C Annex 6th Floor
Nashville, TN 37243-1534**

April 23, 2012

To: Regulated Municipal Separate Storm Sewer Systems

From: Division of Water Pollution Control (the division)

Subject: Qualifying Local Program for Construction Site Stormwater Runoff Control Pilot Period (June 2012-13)

The division is pleased to announce the pilot offering of the [Tennessee Qualifying Local Program](#) (QLP) for Construction Site Stormwater Runoff Control. The QLP program is expected to eliminate duplication of the effort between state and local construction stormwater programs, and simplify requirements for construction site operators. The pilot period begins June 1st, 2012, and serves to identify program elements needing revision prior to final implementation.

The QLP program was developed through a grant funded stakeholder driven process, with the intent of creating an effective program that incentivizes participation. Resultant incentives include streamlined QLP minimum requirements, a standardized interagency enforcement protocol, and recognition of QLP status as an alternative measurement of MS4 permit effectiveness. Obtaining QLP status is optional, but all regulated [Municipal Separate Storm Sewer Systems](#) (MS4) are encouraged to consider participation.

Below, you will find additional detail on core QLP minimum requirements and application procedures. For more information, please call Robert Karesh (615) 253-5402, or Jennifer Watson (615) 532-0359, or email at storm.water@tn.gov.

Introduction:

The promulgation of the Phase I and II National Pollutant Discharge Elimination System (NPDES) stormwater regulations established federal requirements for state and municipal control of stormwater runoff from construction activity. As a result, the division was required to develop NPDES permits to regulate stormwater discharges associated with construction activity, such as the [General Permit for Discharges of Stormwater Associated with Construction Activities](#) (CGP). Municipalities identified as a regulated MS4 were

required to develop programs, consistent with the CGP, to address construction site runoff within their jurisdictions.

Per [CFR 122.44\(s\)](#), the division can formally recognize an MS4 as a QLP that has been shown to meet or exceed the provisions of the CGP. If a construction site has submitted a program specific Notice of Intent (NOI) to a participating QLP, and has obtained a notice of coverage (NOC), the operator of the construction activity is authorized to discharge under the CGP without the submittal of a NOI, Stormwater Pollution Prevention Plan (SWPPP), or related permit fee to the division.

QLP Minimum requirements:

Regulated MS4s must implement and maintain a construction site stormwater runoff control program that addresses stormwater runoff from construction activities, as identified in [Sub-section 4.2.4](#) of the MS4 general permit. In addition, a QLP program must also include the following:

1. Requirements for construction site operators to prepare and submit an NOI, and related comprehensive SWPPP, as identified in Section 3 (SWPPP Requirements) of the CGP,
2. Specific procedures for SWPPP review, approval and NOC issuance
3. Requirements for construction site operators to perform inspections as identified in Sub-section 3.5.8, and site assessments as identified in Sub-section 3.1.2, of the CGP,
4. A system for reporting to the division, information related to construction sites authorized by the QLP.

Application for QLP Status:

An MS4 seeking QLP status during the pilot period may notify the division beginning May 1st, 2012, indicating the municipality's commitment to implement the QLP program as described. In addition to administrative information, the applicant will be asked to provide copies of their construction stormwater ordinances, site plan review and approval procedures, project inventory and tracking procedures, and Enforcement Response Plan.

Review of applicant information will be performed by the division's Central Office and Environmental Field Office personnel. Meetings will be scheduled with applicants to discuss their application's content and answer any related questions. Once the applicant has been approved, the MS4 receives provisional QLP status, which establishes time for any program modifications necessary to satisfy all QLP elements. Modifications may include revision of ordinances and policies, hiring or training of personnel, or purchasing related equipment.

The provisional period also provides the time necessary to educate all stakeholders, and procedurally move construction activities from a dual permit system to a single administered by the QLP. Stakeholder education is expected to be critical to the success of a smooth MS4 to QLP transition. There is no minimum amount of education required during the provisional period. However, it is expected that the provisional QLP will target appropriate internal and external stakeholders, and utilize various educational methods such as email and mailing lists, public meetings, signage and website content.

The length of the provisional period will differ for each applicant based on the nature of the program at the time of application. Once the provisional period is complete, the applicant will receive notification that they have successfully received full QLP status and may begin NOC issuance.

The screenshot shows the Tennessee Department of Environment & Conservation (TDEC) website. The header includes the TDEC logo and the text "Department of Environment & Conservation". The main navigation menu on the left lists various topics such as "About Us", "Assistance", "Permitting", "Parks & Conservation", "Pollution", "Air Quality", "Land Resources", "Water Quality", "Historical Commission", "Newsroom", "Science", and "Contact Us". The main content area is titled "Division of Water Pollution Control" and "Qualifying Local Program". It features a large "UPDATE!" section with a QLP logo and text about the program's purpose and goals. To the right of this section are links for "Contact DWPC", "Stormwater Permits", "Related Links", and "Division Resources". A sidebar on the right contains social media links, "Featured Sites", "Agency Services", and "TDEC Services". The footer of the page includes the TDEC logo and the text "Tennessee Department of Environment & Conservation".



MS4 Program Newsletter

April 2012

TDEC, Division of Water Resources
Stormwater Contacts:

Robert Karesh,
Storm Water Coordinator
(615) 253-5402

Robert.Karesh@tn.gov

Paul Higgins
Permit Section
(615) 532-1178
Paul.Higgins@tn.gov

Jennifer Watson
(615) 532-0359
Jennifer.Watson@tn.gov

UPDATE! Qualifying Local Program Pilot Phase
begins June 2012

The division is pleased to announce the pilot offering of the [Tennessee Qualifying Local Program](#) (QLP) for Construction Site Stormwater Runoff Control. The QLP program is expected to eliminate duplication of the effort between state and local construction stormwater programs, and simplify requirements for construction site operators. The pilot period begins June 1st, 2012, and serves to identify program elements needing revision prior to final implementation.



The QLP program was developed through a grant funded, stakeholder driven process, with the intent of creating an effective program that incentivized participation. Resultant incentives include streamlined QLP minimum requirements, a standardized interagency enforcement protocol, and recognizing QLP status as an alternative measurement of MS4 permit effectiveness. Obtaining QLP status is optional, but all regulated MS4s are encouraged to consider participation.

An MS4 seeking QLP status during the pilot period may notify the division beginning May 1st, 2012, indicating the municipality's commitment to implement the QLP program. In addition to administrative information, the applicant will be asked to provide copies of their construction stormwater ordinances, site plan review and approval procedures, project inventory and tracking procedures, and Enforcement Response Plan.

Please find additional detail on core QLP minimum requirements and application procedures on our [QLP website](#). For more information, please call Robert Karesh (615) 253-5402, or Jennifer Watson (615) 532-0359, or email at stormwater@tn.gov.

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Community Values in Louisville, KY: Mitigating Combined Sewer Overflows (CSOs) and Reducing Consent Decree Costs with Stormwater Green Infrastructure

By Christine McKay, EPA Region 4

There is a movement underway around the nation to adopt stormwater "green infrastructure" practices, including possible new regulations. A brief look at Louisville's decision to use stormwater green infrastructure may help one understand the merits of these new practices and why federal regulation may be a sensible thing to do.

First, what are stormwater green infrastructure practices? How do these new stormwater green infrastructure practices relate to our normal "grey" stormwater infrastructure?

Stormwater green infrastructure practices are relatively new – a gift of the 21st century. The idea is to treat stormwater as a resource: to mimic, preserve or restore natural hydrology through stormwater infiltration, storage, evapo-transpiration (think trees), and/or reuse for non-drinking water uses. These new practices include rain gardens (bioretention), green roofs, cisterns, pervious pavements, and leaving a portion of a site undeveloped. This is the opposite of traditional grey infrastructure where stormwater is treated as a waste. As one sees throughout our developed landscapes, stormwater falls onto rooftops and roadways which quickly accumulates in volume and is dumped into our waterways. The result is that our urban streams are generally not fishable or swimmable.

Continued on page 5:

QLP Applications & Review

Knoxville

	Receipt	5/15/2012
	EFO Conference	5/22/2012
	EFO & City Conference	6/5/2012

Washington County

	Receipt	06/05/12
	EFO Conference	06/14/12
	EFO & City Conference	06/26/12

Bristol

	Receipt	06/05/12
	EFO Conference	06/07/12
	EFO & City Conference	06/14/12

Mt. Carmel

	Receipt	06/05/12
	EFO Conference	06/07/12
	EFO & City Conference	06/20/12
	Withdrawal from applicant list	07/24/12

Knox County

	Receipt	06/29/12
	EFO Conference	07/18/12
	EFO & City Conference	07/20/12

Bradley Co

	Receipt	07/09/12
	EFO Conference	07/17/12
	EFO & City Conference	08/01/12

Cookeville

	Receipt	07/17/12
	EFO Conference	07/30/12
	EFO & City Conference	08/06/12

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Division of Water Pollution Control

6th Floor Annex, L&C Tower, 401 Church Street, Nashville, Tennessee 37243

1-888-891-8332 (TDEC)

**QUALIFYING LOCAL PROGRAM (QLP) APPLICATION**

Purpose: The purpose of this Application is for a Tennessee Municipal Separate Storm Sewer System (MS4) to apply for status as a Qualifying Local Program (QLP), as described in Section 4.3 of the General NPDES Permit for Stormwater Discharges from MS4s: [TNS000000](#).

Instructions: You must provide the following information to the division as application material. You may submit either by hard copy or electronically; electronically is preferred. If submitting a hard copy, the original, which has been signed in accordance with the sub-part 6.7 of the MS4 permit, along with a copy, must be mailed to the address shown in sub-part 1.2 of the MS4 permit for the Environmental Field Office responsible for the county where the MS4 is located. Please flag the portions of the Ordinances that are directly relevant to this QLP application.

If submitting electronically, email the application and attachments as searchable documents to storm.water@tn.gov. In addition, send an original, hard copy letter signed by the responsible official of the MS4, which makes reference to the e-mail transmission including date and time that the electronic submitted was made. The letter must contain the signatory statement found on this form and mailed to the Nashville Central Office address listed above.

PART I - ADMINISTRATIVE INFORMATION

Name of MS4

Permit Number

Name of Contact Person

Email Address

()

Telephone (including area code)

Mailing Address

City

State

ZIP code

PART II - ATTACHMENT CHECKLIST

This application must include the following as attachments:

Construction stormwater ordinance or regulatory mechanism, including civil penalties and procedures for violations (per TCA 68-221-1106)

☐

Construction site compliance inspection and documentation procedures

☐

SWPPP/EPSC plan review and approval procedures

☐

Enforcement Response Plan

☐

Construction site tracking and inventory procedures

☐

Public Information/Public Input Process

☐

Copies of Level I & II Certifications for appropriate staff

☐**PART III - SIGNATURE OF RESPONSIBLE CORPORATE OFFICER**

This application must be signed by either a principal executive officer or ranking elected official.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature

Title/Municipality

Date



QLP Application Review Sheet

Version 1.7

Initial review:
Follow-up call:

Permittee:

MS4 Number:

Field Office:

	QLP minimum program requirements	Comment
1)	An ordinance or other regulatory mechanism to require erosion prevention and sediment controls, as well as sanctions to ensure compliance: The ordinance must allow for the maximum (\$5,000) penalties per day for each day of violation as specified in TCA 68-221-1106 (Stormwater specific administrative appeals board must be active). Modifications to ordinances or other regulatory mechanisms for construction site runoff control program must be consistent with requirements of the current CGP.	
2)	Requirements for construction site operators to implement appropriate erosion prevention and sediment control best management practices: The QLPs EPSC requirements shall be consistent with those described in the TDEC EPSC Handbook.	
3)	Design storm (2yr/24) and special conditions (60 buffer, 5yr design, inspections/assessments, basins with 5 acres drainage etc - section 5.4 CGP) for impaired waters or exceptional Tennessee waters must be consistent with those of the current CGP.	
4)	The QLP must maintain an inventory of construction sites authorized by the QLP containing relevant information for each project, such as: submittal date, coverage date, coverage TNQ#, SWPPP provided, site/project name, owner/operator(s), Lat/long, start date, end date, acres disturbed, total acres, T&E, exceptional or impaired waters, wetland delineation, ARAP obtained, name of receiving water, and HUC. The QLP must have system to share this information with the department (electronic delivery preferred).	
5)	Requirements for construction site operators to control waste materials: The QLP must require that operators control wastes such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site to avoid adverse impacts to water quality.	
6)	Requirements for construction site operators to prepare and submit comprehensive Stormwater Pollution Prevention Plans (SWPPP) as identified in Section 3 (SWPPP Requirements) of the CGP.	
7)	Specific procedures for SWPPP review and approval: QLP procedures must include an evaluation of plan completeness and overall BMP effectiveness.	
8)	QLP must have procedures in place to identify indicators of possible streams or wetlands utilizing site information and resources such as: 1) Contour and stream/wetland indicators on USGS or site TOPO maps, 2) Drainage to a defined conveyance (20 east TN/40 middle TN/ 75 west TN), 3) Aerial photography identifying a sinuous tree line or grouping of remaining forest in an agricultural setting, 4) Springhouse/box, 5) Comparable nearby drainage that has previously been determined to have a stream, 6) Onsite or adjacent ponds or	



NOTICE OF COVERAGE

Under

<Name of the QLP>

<address>

And

The State of Tennessee, General NPDES Permit for Stormwater Discharges
Associated with Construction Activity ([TNR100000](#))

QLP Tracking Number:

TNQ

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

Name of the Construction Project:

Permittee Name:

Contractor(s):

is authorized to discharge stormwater associated with
construction activity from the site located at:

to receiving waters named:

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in
one mile radius:

Additional pollution prevention requirements apply for discharges into waters identified as:

a) impaired by siltation: **xxxxxx** b) discharging into Exceptional Tennessee waters: **xxxxxx**

Your coverage under the CGP shall become effective on **xxxxxx**, and shall be terminated upon receipt of Notice of Termination, or the date of expiration of the CGP.

<Insert QLP/MS4 Language and signature Block

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Division of Water Pollution Control

6th Floor Annex, L&C Tower, 401 Church Street, Nashville, Tennessee 37243

1-888-891-8332 (TDEC)

Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities (TNR100000) Located within a Qualifying Local Program (QLP)

Purpose of this Form: The State of Tennessee General NPDES Permit for Stormwater Discharges from Construction Activities ([TNCGP](#)) allows for construction activities within the jurisdiction of a Qualifying Local Program (QLP) to only have to apply and obtain coverage for both the TNCGP and the local program from the QLP itself. By signing this Notice of Intent, the permittee agrees to be responsible for compliance under the requirements of the TNCGP. The permittee will not be required to submit an NOI, a SWPPP, a notice of termination, or a permit fee to the local TDEC Environmental Field Office. For additional information, please see Section 1.4.5 of the [TNCGP](#) or the state's QLP webpage at <http://tn.gov/environment/wpc/stormh2o/qlp.shtml>.

Site or Project Name:		QLP Tracking Number: TNQ	
Street Address or Location:		Start date:	
		Estimated end date:	
Site Description:		Latitude (dd dddd):	
		Longitude (dd dddd):	
County(ies):	QLP/MS4 Jurisdiction:	Acres Disturbed:	
		Total Acres:	
Are there streams <input type="checkbox"/> and/or wetlands <input type="checkbox"/> on or adjacent to the construction site?			
If wetlands are located on-site and may be impacted, attach wetlands delineation report. <input type="checkbox"/> Wetlands Delineation Report Attached			
If an Aquatic Resource Alteration Permit has been obtained for this site, what is the permit number? ARAP permit No.:			
Receiving waters:			
Attach the SWPPP with the NOI <input type="checkbox"/> SWPPP Attached		Attach a site location map <input type="checkbox"/> Map Attached	
Name of Site Owner or Developer (Site-Wide Permittee): (person, company, or legal entity that has operational or design control over construction plans and specifications):			
Site Owner or Developer Contact name: (individual responsible for site)		Title or Position: (the party who signs the certification below)	
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Optional Contact:		Title or Position:	
Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Owner/Developer Certification (must be signed by president, vice-president or equivalent, or ranking elected official)			
I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person of those persons who manage the system or are directly responsible for gathering the information, the submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. A false statement is subject to the penalties of perjury.			
Owner/Developer name, print or type		Signature:	Date
Contractor(s) Certification (must be signed by president, vice-president or equivalent, or ranking elected official)			
I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above, and/or my inquiry of the person directly responsible for assembling this NOI, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated. I am aware that there are significant penalties, including the possibility of fine and imprisonment for knowing violations, and for failure to comply with these permit requirements. A false statement is subject to the penalties of perjury.			
Primary contractor name and address		Signature:	Date
Other contractor name and address		Signature:	Date
Other contractor name and address, print or type		Signature:	Date

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)**

Division of Water Pollution Control (WPC)
6th Floor Annex, L&C Tower, 401 Church Street, Nashville, Tennessee 37243
1-888-891-TDEC (8332)

**Notice of Termination (NOT) for General NPDES Permit for Stormwater Discharges from Construction Activities (CGP) Located within a Qualifying Local Program (QLP)**

This form is required to be submitted to the local QLP when requesting termination of coverage from the CGP. The purpose of this form is to notify the QLP that either all stormwater discharges associated with construction activity from the portion of the identified facility where you, as an operator, have ceased or have been eliminated; or you are no longer an operator at the construction site. Submission of this form shall in no way relieve the permittee of permit obligations required prior to submission of this form. Please submit this form to the local QLP from which you received your coverage. For additional information, please contact the QLP or the state's QLP webpage at <http://tn.gov/environment/wpc/stormh2o/qlp.shtml> or contact your local EFO at the numbers identified below.

Type or print clearly, using ink and not markers or pencil.

Site or Project Name:		QLP Tracking Number: TNQ	
Street Address or Location:		County(ies):	
Name of Permittee Requesting Termination of Coverage:			
Permittee Contact Name:		Title or Position:	
Mailing Address:		City:	State: Zip:
Phone: ()		E-mail:	

Check the reason(s) for termination of permit coverage:

<input type="checkbox"/>	Stormwater discharge associated with construction activity is no longer occurring and the permitted area has a uniform 70% permanent vegetative cover OR has equivalent measures such as rip rap or geotextiles, in areas not covered with impervious surfaces.
<input type="checkbox"/>	You are no longer the operator at the construction site (i.e., termination of site-wide, primary or secondary permittee coverage).

Certification and Signature: (must be signed by president, vice-president or equivalent ranking elected official)

I certify under penalty of law that either: (a) all stormwater discharges associated with construction activity from the portion of the identified facility where I was an operator have ceased or have been eliminated or (b) I am no longer an operator at the construction site. I understand that by submitting this notice of termination, I am no longer authorized to discharge stormwater associated with construction activity under this general permit, and that discharging pollutants in stormwater associated with construction activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

For the purposes of this certification, elimination of stormwater discharges associated with construction activity means that all disturbed soils at the portion of the construction site where the operator had control have been finally stabilized, the temporary erosion and sediment control measures have been removed, and/or the site or portions of the site have obtained permit coverage by subsequent operators or that all stormwater discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated from the portion of the construction site where the operator had control.

Permittee name (print or type):	Signature:	Date:
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EFO	Street Address	Zip Code	Phone #	EFO	Street Address	Zip Code	Phone #
Memphis	8383 Wolf Lake Drive, Bartlett, TN	38133	901-371-3018	Cookeville	1221 South Willow Ave.	38506	931-432-7634
Jackson	1625 Hollywood Drive	38305	731-512-1309	Chattanooga	540 McCallie Avenue STE 550	37402	423-634-5702
Nashville	711 R S Gass Boulevard	37243	615-687-7119	Knoxville	3711 Middlebrook Pike	37921	865-594-5589
Columbia	1421 Hampshire Pike	38401	931-490-3941	Johnson City	2305 Silverdale Road	37601	423-854-5438

CN-1376

RDAs 2399 and 2400

QUALIFYING LOCAL PROGRAM (QLP) ENFORCEMENT ASSISTANCE REQUEST (EAR) FORM

Date:	
Name of QLP:	QLP Permit number: TNS
QLP Contact:	Phone: ()

Site Name:	QLP Tracking No. TNQ
Street Address or Location:	Start date:
	Estimated end date:
Site Description:	Latitude:
	Longitude:
County(ies):	Acres Disturbed:
Is there an Aquatic Resource Alteration Permit on this site?	ARAP#
Receiving waters:	

Site Owner/Developer: (person, company, or legal entity that has operational or design control over construction plans and specifications)			
Site Owner/Developer Contact: (individual responsible for site)		Title or Position:	
Mailing Address:		City:	State: Zip:
Phone: ()		E-mail:	

Optional Contact:	Title or Position:		
Address:	City:	State:	Zip:
Phone: ()	E-mail:		

Brief Site Enforcement Summary Description			
<p>Please include the following relevant documentation with this EAR Submittal:</p> <table border="0"><tbody><tr><td><ul style="list-style-type: none">• A synopsis of current site conditions with timeline• Copies of all site inspections• Copies of all compliance review meeting summaries/memos</td><td><ul style="list-style-type: none">• Copies of all enforcement actions taken• Follow-up information• Dated photographs with documentation</td></tr></tbody></table>		<ul style="list-style-type: none">• A synopsis of current site conditions with timeline• Copies of all site inspections• Copies of all compliance review meeting summaries/memos	<ul style="list-style-type: none">• Copies of all enforcement actions taken• Follow-up information• Dated photographs with documentation
<ul style="list-style-type: none">• A synopsis of current site conditions with timeline• Copies of all site inspections• Copies of all compliance review meeting summaries/memos	<ul style="list-style-type: none">• Copies of all enforcement actions taken• Follow-up information• Dated photographs with documentation		

OFFICIAL STATE USE ONLY

Received Date	QLP Liaison/Reviewer	Field Office	Permit Number TNQ	Impaired Receiving Stream
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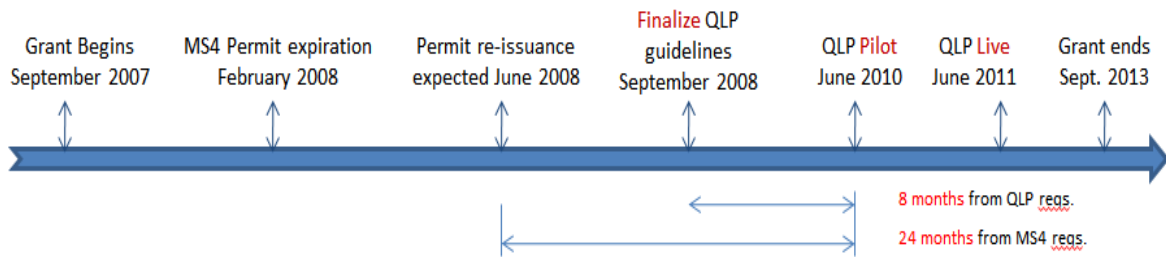
APPENDIX “B”

B-1 Amended and Accepted Timeline Proposal and Comparison

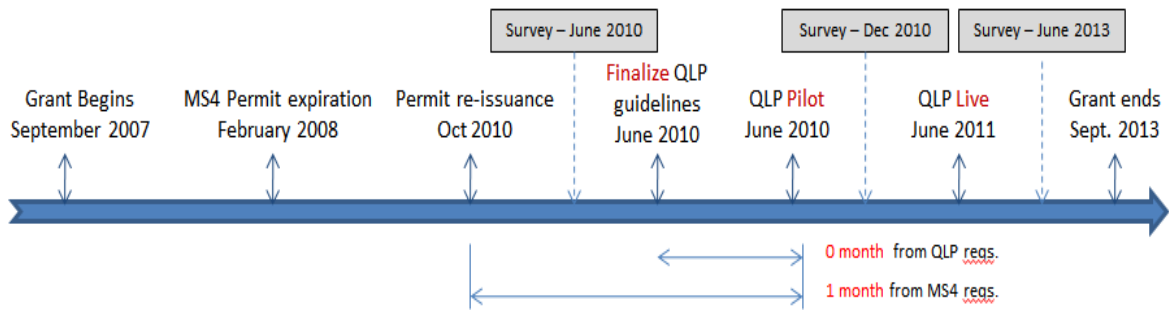
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1) Timeline - At time of grant initiation



2) Timeline – Current (as amended)



3) Timeline – Proposed

